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10/062,349	01/31/2002	Carl O. Bennett JR.	AUS920010504US1	3452

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Darcell Walker
8107 Carvel Lane
Houston, TX 77036

EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/062,349

Applicant(s)

BENNETT ET AL.

Examiner

Kuen S Lu

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on September 27, 2004 and April 8, 2005. Please note new issue was raised when claims 2 and 11 were amended with new limitation of creating a custom slide display from the retrieved and loaded displays. Please see the Office Action for Final Rejection (hereafter "the Action"), wherein one new reference was introduced to replace a current one for providing teaching of the disclosure. Please also note the Applicant's amendments made to the Abstract and claims to overcome the Examiner's respective objections are accepted and the objections are hereby withdrawn.
2. As for the Applicant's Remarks on claim rejections, filed on April 8, 2005, has been fully considered by the Examiner, please see discussion in the section ***Response to Arguments***, following the Action as shown next.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 6-8, 13 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabalno (U.S. Patent 5,918,237) and in view of Quimby (U.S. Publication 2002/0199002).

As per claims 1 and 13, Montabalno teaches the following:

“placing the address of selected display from the display repository in a bookmark file” at col. 2, lines 47-49 where content page and URL address pair is stored in the bookmark file;

“determining whether the bookmark file is complete” at col. 2, lines 51-53 where bookmarks stored are displayed after the bookmark window is full; and

“retrieving the selected displays using the addresses contained in the bookmark file” at Fig. 3a and col. 3, lines 17-26 where a bookmark file is loaded and displayed via the location; and

“loading the retrieved displays into a display file” at Fig. 4, elements 45 and col. 6, lines 42-53 where pages and URLs are loaded into a file.

Montabalno does not specifically teach “creating a custom slide display from the retrieved and loaded displays”.

However, Quimby teaches “creating a custom slide display from the retrieved and loaded displays” at Figs. 3-4 and Pages 5-6, [0021] and [0031] where web browser’s features of bookmark and slide show are combined to present web site pages in a slide show fashion, including site selection, replaying desired sites, setting replay duration, continuous replaying and displaying orderly, randomly, sequentially and other manners.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Quimby' teaching with Montabalno's by enhancing the bookmark displaying system with automated presentation feature because both references are devoted to display web pages and, the integration of the slide show style of automated presentation feature into a multi-media bookmarks system for displaying web pages would have enabled the system to retrieve, display and store web pages efficiently and conveniently in an automated, sequential fashion without returning continuously to the original search engine results list.

As per claims 6 and 18, Montabalno teaches "placing the selected display address in bookmark file step further comprises the step of initially creating a bookmark file for the selected display addresses" at Fig. 3a, elements 35 and col. 3, lines 17-25 where bookmark file is created by automatically loading the first HTML file when user request his bookmark.

As per claims 7 and 19, Montabalno teaches "bookmark file completion determination step comprises detecting a close file command" at Figs. 3-4 where a file closure is detected or implicitly implied when the "Close" element is pressed or a program module returns after storing web page address to the bookmark file.

As per claims 8 and 20, Montabalno teaches the following:

“retrieving the designated bookmark file” at Fig. 3a and col. 3, lines 23-26 where user's bookmarks are retrieved;

“retrieving display address information from the designated bookmark file” at at Fig. 3a and col. 3, lines 17-26 where a bookmark file is loaded and displayed via the location;

“locating displays corresponding to the display addresses in the bookmark file” at col. 4, lines 63-65 where URL address is stored as bookmark information;

“retrieving a copy of each located display” at col. 9, lines 16-17 where web pages are retrieved by listed URLs and at col. 10, lines 22-25 where URLs are retrievable from bookmark sets;

“storing the copy of the located display in the display file” at Fig. 4 and col. 6, lines 42-53 where multimedia book data file and URL are stored in the bookmark file;

“creating display presentation using graphical presentation tools” at Fig. 5 and cols. 6-7, lines 64-8 where browser generates multimedia bookmark representation from a multimedia bookmark data file.

The combined teaching of Montabalno and Quimby references further teaches “repeating said display locating, copy retrieving and copying storing steps for each address in the bookmark file” (Montabalno teaches display locating, copy retrieving and copying storing at col. 3, lines 17-26, col. 4, lines 63-65 and col. 10, lines 22-25, and Quimby teaches repeating steps by presenting web site pages in a slide show fashion, including site selection, replaying desired sites, setting replay duration, continuous replaying and displaying orderly, randomly, sequentially and other manners at Figs. 3-4 and Pages 5-6, [0021] and [0031]).

Quimby further teaches "sending complete display file to local computing device" at Fig. 1 and Page 5, [0023] where user is provided with presentation by the performer.

5. Claims 2-5 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabalno (U.S. Patent 5,918,237) in view of Quimby (U.S. Publication 2002/0199002), as applied to claims 1, 6-8, 13 and 18-20, and further in view of Boesch (U.S. Publication 2003/0018746).

As per claims 2 and 14, the combined Montabalno-Quimby reference teaches creating bookmark file for storing and retrieving web pages as previously described for rejecting claims 1 and 13.

The combined reference does not specifically teach "displaying the hierarchical information the display repository on a viewer screen, the hierarchical display containing directories, sub-directories, categories of graphical display sets and display groups within the display sets".

However, Boesch teaches "displaying the hierarchical information the display repository on a viewer screen, the hierarchical display containing directories, sub-directories, categories of graphical display sets and display groups within the display sets" at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Boesch's reference with Quimby and Montabalno's teachings by using hierarchical structure to store the web pages because they all devoted to a the handling of a plurality of files (Abstracts) and the combination of the references would have enabled users of Montabalno's system to select and migrate a file system from a source system to the destination system by preserving the file, directories, subdirectories and folders structure (Boesch: Page 1, [0004]).

As per claims 3 and 15, Boesch further teaches the following:

"displaying a set of main folders in the display repository" at Fig. 2b where element 210 is the main folder in a display repository;

"displaying the directory for a selected main folder" at Fig. 2b where main folder Stuff has files File 1 and File 2; and

"displaying a series of sub-directories in response to selections by a user until a desired display group is reached and selected" at Fig. 2b where a series of sub-directories My Files, Stuff and Junque Folder are the series of sub-directories selected by the user to display.

As per claims 4 and 16, Montabalno teaches "comprising displaying a selected display on a display screen" at Fig. 3a, elements 37-38 and col. 3, lines 17-26 where graphical presentations are displayed on the screen.

As per claims 5 and 17, Montabalno teaches "retrieving display address information contained in the selected display" at Fig. 3a and col. 3, lines 17-26 where a bookmark file is loaded and displayed via the location.

6. Claims 9-12 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabalno (U.S. Patent 5,918,237) in view of Quimby (U.S. Publication 2002/0199002), as applied to claims 1 and 13, and further in view of Pal (U.S. Patent 5,963,945).

As per claims 9 and 21, the combined Quimby-Montalbaano reference teaches display loading as previously described for rejecting claims 8 and 20.

The combined reference does not specifically teach "determining the number of address entries in the bookmark file and initially setting a display counter to zero".

However, Pal teaches maintaining counters to count the number of file entries of a determining the number of address entries in the bookmark file and initially setting a display counter to zero" at Figs. 1B-1F and col. 5, lines 42-44 and col. 6, lines 43-46 where counters for object entries are set to zero and incremented every time an object is sent.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Pal's reference wit Quimby and Montabalno by counting the entry number when entries of files are retrieved or stored to a bookmark file, or saved to another bookmark file because the reference are all devoted to

resource allocation and de-allocation (Montabalno: col. 3, lines 17-22, storing bookmarks, Quimby: col. 9, lines 22-28, downloading bookmark set to client system, Pal: col. 3, lines 25-26, allocating resources). Further, implementing of Pal's teaching of pre-fetching to a resource allocation system to Quimby-Montabalno combined reference would have been a significant performance improvement Quimby and Montabalno's systems because buffering of data which is much faster accessible than disk I/Os.

As per claims 10 and 22, Pal further teaches the following:

"incrementing the display counter by one after storing each copy of a retrieved display" by incrementing the counter by one for each object requested received at Fig. 4, elements 402-408 and col. 8, lines 20-24;

"comparing the current number in the display counter with the determined number of addresses in the bookmark file" by comparing the current number in the display counter with the determined number of entries at col. 5, lines 45-65 and col. 6, lines 52-64; and "returning to the locating the address for the next display in the bookmark file step, when the determined number addresses in the bookmark file is greater than the current number in the counter" by sending over the counter value and repeating the process at col. 6, lines 61-67.

As per claims 11 and 23, Pal further teaches the repeating steps of "incrementing the display counter by one after storing each copy of a retrieved display, comparing the current number in the display counter with the determined number of addresses in

the bookmark file" at Fig. 4, elements 402-408 and col. 8, lines 20-24; col. 5, lines 45-65 and col. 6, lines 52-64 and col. 6, lines 61-67 where the steps are repeated until the client and server are synchronized; and

"compiling displays in the display for transmission to a local computing device, when the determined addresses in the addresses in the bookmark file is not greater than current number in the count" at col. 5, lines 45-65 and col. 6, lines 52-64 de-allocating request to a local computing device, when the determined number of entries in the source system is not greater than the current number in the counter.

As per claims 12 and 24, Quimby further teaches "creating presentation step further comprises converting displays in the display from the format of the displays as stored in the repository to a format for display presentation" at Fig. 5 and cols. 6-7, lines 64-8 where browser generates multimedia bookmark representation from a multimedia bookmark data file.

7. Claims 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Montabalno (U.S. Patent 5,918,237) and further in view of Boesch (U.S. Publication 2003/0018746).

As per claim 25, Montabalno teaches the following:

"a local computer machine" at col. 1, lines 16-21 where user's computer is a local computer machine;

"a computer network for establishing communication between said local computer and said display repository" at col. 1, lines 16-37 where host is a networked computer and repository of HTML files.

Montabalno does not specifically teach "a display repository housed in a containing graphical displays, aid displays being arranged into sets of displays and stored in said repository in a directory hierarchical tree configuration containing a series of sub-directories that link to the location of a display in said repository".

However, Boesch teaches displaying the hierarchical information the display repository on a viewer screen, the hierarchical display containing directories, sub-directories, categories of graphical display sets and display groups within the display sets at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Boesch's reference wit Montabalno's teaching by using hierarchical structure to store the web pages because they all devoted to a the handling of a plurality of files and the combination of the references would have enabled users of Montabalno's system to select and migrate a file system from a source system to the destination system by preserving the file, directories, subdirectories and folders structure (Boesch: Page 1, [0004]).

As per claim 26, Montabaldo teaches "display repository resides in a server machine on said computer network" at col. 1, lines 16-37 where host is a networked computer and repository of HTML files.

As per claim 27, Boesch teaches "a navigator program for maneuvering through the directories and sub-directories of graphical displays in the display repository" at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

As per claim 28, Boesch teaches "a display presentation program for displaying the graphical displays in the generated display file on said local computer machine" at Fig. 2b and Page 3, [0027] where screen shot shows hierarchical display of directories, sub-directories, categories of graphical display sets and display groups within the display sets.

As per claim 29, Montabaldo teaches "display presentation program further comprises a conversion program for converting displays from a format for storing the displays in the repository on the computing network to a format for displaying such displays on said local computing machine" at Fig. 5 and cols. 6-7, lines 64-8 where browser generates multimedia bookmark representation from a multimedia bookmark data file.

As per claim 30, Montabalno teaches the following:

“a module for creating a book mark file and storing addresses corresponding to the locations in the repository of the graphical displays in the book mark file” at Fig. 4 and col. 6, lines 42-53 where multimedia book data file and URL are stored in the bookmark file; and

“a module for creating a display file for storing copies of displays with corresponding addresses stored in the book mark file” at Fig. 5 and cols. 6-7, lines 64-8 where browser generates multimedia bookmark representation from a multimedia bookmark data file.

The combined teaching of Boesch and Montabalno further teaches “a module for transmitting a display file over the computing network to a local computing machine” (See Montabalno: Fig. 5 and cols. 6-7, lines 64-8 where display file is created, and Boesch: Fig. 5, elements 506-510 where files are transferred from host system to client).

Conclusions

8. The prior art made of record

- A. U.S. Patent 5,918,237
- M. U.S. Publication 2002/0199002
- C. U.S. Publication 2003/0018746
- D. U.S. Patent 5,963,945

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- B. U.S. Patent 6,405,222
- E. U.S. Publication 2002/0099784
- F. U.S. Publication 2003/0097361
- G. U.S. Patent 6,654,785
- H. U.S. Patent 6,665,657
- I. U.S. Publication 2003/0135820
- J. U.S. Publication 2003/0016943
- K. U.S. Publication 2002/0032746
- L. U.S. Patent 6,535,912

Response to Arguments

9. Applicant's arguments filed on September 27, 2004 with respect to claims 1, 6-8, 13 and 18-20, please see discussion below.

a). At Pages 10-11, the Applicant argued that the Montalbano and Kunzinger references or their combined teaching does not teach creating slide presentation from slides stored in a repository.

As to the above argument a), with respect to the newly amended limitation, the Examiner respectfully agreed and has replaced the Kunzinger reference with Quimby's in order to overcome the new issue raised by Applicant's amendment. Please refer to the respective sections of the Action as previously presented.

b). At Page 11, the Applicant argued that the Montalbano and Kunzinger references or their combined teaching does not teach file on ending up on a user's computer, a file having content from multiple bookmarks downloaded inside the file self and being

subsequently used.

As to the above argument **b)**, the Examiner respectfully submits that Montalbano and newly introduced Quimby references provide the teaching, for example, file of multiple bookmarks is being retrieved and stored, as evidenced in Figs. 3a-4 of Montalbano's.

10. In light of the forgoing arguments, the 35 U.S.C. § 103 rejections for claims 1-30 is hereby sustained.

Conclusions

11. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

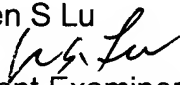
Contact information

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is (571)-272-4114.

The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571)-272-4107. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-4114.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S Lu

Patent Examiner

May 27, 2005


Mohammad Ali

Primary Examiner

May 27, 2005